

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

ARLENE TOPHAM

CIVIL ACTION NO. 6:17-cv-00693

VERSUS

JUDGE TRIMBLE

U.S. COMMISSIONER,  
SOCIAL SECURITY  
ADMINISTRATION

MAGISTRATE JUDGE HANNA

**JUDGMENT**

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

**IT IS ORDERED, ADJUDGED, AND DECREED** that the Commissioner's decision is REVERSED and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).<sup>1</sup> More particularly, the Commissioner is instructed to (1) evaluate Ronnie Topham's residual functional capacity as of December 31, 2008, and (2) determine whether there were jobs that existed in significant numbers in the national economy that Mr. Topham could have performed

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<sup>1</sup> A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5<sup>th</sup> Cir. 1993).

while taking the medications that he was taking during the time period between March 17, 2003 and December 31, 2008.

Signed at Alexandria, Louisiana, this 16<sup>th</sup> day of April, 2018.

  
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JAMES T. TRIMBLE, <sup>JR</sup>  
UNITED STATES DISTRICT JUDGE